

Assistant General Counsel

10 December 1952

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DD/P Notice [REDACTED] - Delegations of Authority

1. You have requested my comments on the legal form of the subject DD/P notice.

2. All of the delegations contained in the subject notice are referenced to authorities received by the Deputy Director (Plans) by delegation from the DCI dated 18 September 1952, effective 1 August 1952. This latter delegation expressly authorized redelegation to the DD/P's Chiefs of Operations, Foreign Intelligence, Political and Psychological Warfare, Paramilitary Operations, Technical Support, and Administration where appropriate, and would appear to repeal any provision in existing regulations to the contrary. The only question as to legal form under the subject notice is whether the DD/P is delegating authorities which he in fact possesses under the Confidential Funds Regulations or other directives from DCI. As a general comment I believe it is fair to say that in most instances the DD/P is not the sole person in whom is vested the authority delegated. In those cases other Assistant Directors, particularly the Assistant Director for Communications, are empowered to exercise the authority individually and a delegation by DD/P would not derogate from their powers. When this is so, the subject notice might preferably be worded to appear as a delegation of powers which the DD/P holds jointly with others, expressly negating the inference that may presently be drawn that the delegation conferred exclusive jurisdiction.

3. I would make the following notations with respect to the delegations contained in paragraph 3 of the subject notice.

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a. [REDACTED] authorizes the DD/A and "appropriate Assistant Directors" to designate approving officers. This authorization expressly may not be redelegated.

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b. [REDACTED] authorizes "Assistant Directors of Covert Offices" to adopt appropriate cover policies.

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c. [REDACTED] authorizes "Assistant Directors concerned" except under one outdated circumstance, to approve vouchers in the absence of approved projects or allocation of funds to which vouchers may be charged.

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25X1A d. [REDACTED] authorizes "the appropriate Assistant Director or his designee" to give approval to the use of small-time commodity assets.

e. The two DCI memoranda dated 7 August 1951 on the subject of entertainment expenses, are directed to all appropriate Assistant Directors and to the DDCI, DD/P and DD/A. Copies of these memoranda are attached.

4. I would make the following notations with respect to the delegations contained in paragraph 4 of the subject notice.

25X1A a. [REDACTED] authorizes the "appropriate Assistant Director" to close operational accounts in cases where the amount is less than \$500.00. Write-offs of accounts in excess of \$500.00 must be referred to the Comptroller for final action.

25X1A b. [REDACTED] authorizes the "Assistant Director concerned" to approve personally contracts providing compensation for covert specialists in excess of prescribed amounts.

25X1A c. [REDACTED] authorizes "Assistant Directors of Covert Offices" to approve special living allowances. Section 6.2 has been redrafted for final approval in an entirely different form which will transfer this authority to the Special Contracting officer.

25X1A d. [REDACTED] authorizes "Assistant Directors for Covert Offices" to approve representation allowances. This section expressly allows redelegation in writing to a single senior subordinate official.

25X1A e. [REDACTED] authorizes "the Assistant Director concerned" to recommend for the action of the Personnel Director the prescription of foreign post allowances and post differentials for areas and places for which the Secretary of State has failed to make such prescriptions.

25X1A f. [REDACTED] authorizes "Assistant Directors of Covert Offices" to approve a clothing allowance for enlisted personnel of the Armed Forces assigned or detailed to CIA. This regulation has been rewritten as part of the new Confidential Funds Regulation 6.7 not yet issued.

25X1A g. [REDACTED] authorizes the use of tunicacs when individually approved by "Assistant Directors and Staff Chiefs or their deputies for other specific security reasons." This approval authority may be delegated by Assistant Directors of Covert Offices to one other subordinate official.

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h. [REDACTED] authorizes "appropriate Assistant Director(s)" to approve special allowances for military personnel.

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i. [REDACTED] authorizes "the Assistant Director concerned" to recommend for the approval of the DD/A reimbursement to military personnel for unusual or extraordinary expenses incurred because of security or operational requirements. Section 6.7 has been substantially redrafted in a form not yet issued.

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j. [REDACTED] authorizes "the Assistant Director or Chief of the Field installation concerned" to approve reimbursement for certain expenses of entertainment.

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k. [REDACTED] specifically authorizes the ADSO, ADPC and ADCOMO, or their designee, to authorized the use of confidential funds for leasing foreign housing or space and certain related activities.

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l. [REDACTED] authorizes the "Assistant Director concerned" to pass upon an approved administrative plan for covert projects. (Amendments)??

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m. [REDACTED] authorizes "appropriate Assistant Director(s)" to determine where certain claims for expenses of medical service supplies, hospitalization and related expenses cannot be processed outside CIA. Personal approval is required in cases involving payment of death or disability benefits although the authorities under the section may be delegated.

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n. [REDACTED] authorizes "Assistant Directors" to approve special schooling for personnel stationed abroad.

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o. [REDACTED] authorizes "Assistant Directors concerned" to approve applications for advances under special circumstances.

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OGC/GHK:cd (10 December 1952)

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